

(f) Availability of funds

No funds shall be made available under this chapter unless the applicant shall furnish evidence that funds from commercial sources are unavailable on reasonable terms.

(Pub. L. 85-701, § 2, Aug. 21, 1958, 72 Stat. 700.)

§ 643. "Exploration" defined

As used in this chapter, the term "exploration" means the search for new or unexplored deposits of minerals, including related development work, within the United States, its Territories and possessions, whether conducted from the surface or underground, using recognized and sound procedures including standard geophysical and geochemical methods for obtaining mineralogical and geological information.

(Pub. L. 85-701, § 3, Aug. 21, 1958, 72 Stat. 701.)

§ 644. Advice and assistance by Government departments and agencies; expenditure of funds

Departments and agencies of the Government are authorized to advise and assist the Secretary of the Interior, upon his request, in carrying out the provisions of this chapter and may expend their funds for such purposes, with or without reimbursement, in accordance with such agreements as may be necessary.

(Pub. L. 85-701, § 4, Aug. 21, 1958, 72 Stat. 701.)

§ 645. Repealed. Pub. L. 93-608, § 1(13), Jan. 2, 1975, 88 Stat. 1969

Section, Pub. L. 85-701, § 5, Aug. 21, 1958, 72 Stat. 701; Pub. L. 89-348, § 2(5), Nov. 8, 1965, 79 Stat. 1312, required Secretary of the Interior to report to Congress on operations of programs authorized pursuant to this chapter.

§ 646. Authorization of appropriations

There are hereby authorized to be appropriated, from any funds in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this chapter.

(Pub. L. 85-701, § 6, Aug. 21, 1958, 72 Stat. 701.)

CHAPTER 18—COAL RESEARCH AND DEVELOPMENT

Sec.	
661.	Definitions.
662.	Office of Coal Research; powers and duties.
663.	Advisory committees.
	(a) Minutes of meetings.
	(b) Availability of minutes or reports.
	(c) Compensation; travel expenses.
	(d) Exemption from conflict-of-interest statutes.
664.	Director of Coal Research; appointment.
665.	Sites for conducting research; availability of personnel and facilities.
666.	Public-availability requirement; national defense; patent agreements.
667.	Reports to President and Congress.
668.	Authorization of appropriations.
	(a) Fiscal year beginning July 1, 1960.
	(b) Fiscal years beginning after June 30, 1961.
	(c) Availability of sums.

§ 661. Definitions

As used in this chapter

(a) The term "Secretary" means the Secretary of the Interior.

(b) The term "research" means scientific, technical, and economic research and the practical application of that research.

(Pub. L. 86-599, § 1, July 7, 1960, 74 Stat. 336.)

TRANSFER OF FUNCTIONS

Functions of Secretary of the Interior, Department of the Interior, and officers components of such Department relating to or utilized by Office of Coal Research transferred to Administrator of Energy Research and Development Administration by section 5814 of Title 42, The Public Health and Welfare. Energy Research and Development Administration was terminated and functions vested by law in Administrator thereof transferred to Secretary of Energy (unless otherwise specifically provided) by sections 7151(a) and 7293 of Title 42.

§ 662. Office of Coal Research; powers and duties

The Secretary shall establish within the Department of the Interior an Office of Coal Research, and through such Office shall—

(1) develop through research, new and more efficient methods of mining, preparing, and utilizing coal;

(2) contract for, sponsor, cosponsor, and promote the coordination of, research with recognized interested groups, including but not limited to, coal trade associations, coal research associations, educational institutions, and agencies of States and political subdivisions of States;

(3) establish technical advisory committees composed of recognized experts in various aspects of coal research to assist in the examination and evaluation of research progress and of all research proposals and contracts and to insure the avoidance of duplication of research; and

(4) cooperate to the fullest extent possible with other departments, agencies, and independent establishments of the Federal Government and with State governments, and with all other interested agencies, governmental and nongovernmental.

(Pub. L. 86-599, § 2, July 7, 1960, 74 Stat. 336.)

TRANSFER OF FUNCTIONS

See note set out under section 661 of this title.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 663. Advisory committees**(a) Minutes of meetings**

Any advisory committee appointed under the provisions of this chapter shall keep minutes of each meeting, which shall contain as a minimum (1) the name of each person attending such meeting, (2) a copy of the agenda, and (3) a record of all votes or polls taken during the meeting.

(b) Availability of minutes or reports

A copy of any such minutes or of any report made by any such committee after final action has been taken thereon by the Secretary shall be available to the public upon request and payment of the cost of furnishing such copy.

(c) Compensation; travel expenses

Members of any advisory committee appointed from private life under authority of this section shall each receive \$50 per diem when engaged in the actual performance of their duties as a member of such advisory committee. Such members shall also be entitled to travel expenses and per diem in lieu of subsistence at the rates authorized by section 5703 of title 5 for all persons employed intermittently as consultants or experts receiving compensation on a per diem basis.

(d) Exemption from conflict-of-interest statutes

Service by an individual as a member of such an advisory committee shall not subject him to the provisions of section 1914 of title 18, or, except with respect to a particular matter which directly involves the Office of Coal Research or in which the Office of Coal Research is directly interested, to the provisions of sections 281, 283, or 284 of title 18 or of section 190 of the Revised Statutes (5 U.S.C. 99).

(Pub. L. 86-599, §3, July 7, 1960, 74 Stat. 336.)

REFERENCES IN TEXT

Sections 281, 283, 284, and 1914 of title 18, referred to in subsec. (d), were repealed by Pub. L. 87-849, §2, Oct. 23, 1962, 76 Stat. 1126, "except as they [sections 281 and 283] may apply to retired officers of the armed forces of the United States", and were supplanted by sections 203, 205, 207, and 209, respectively, of Title 18, Crimes and Criminal Procedure. For further details, see Exemptions note set out under section 203 of Title 18.

Section 190 of the Revised Statutes, referred to in subsec. (d), was repealed by Pub. L. 87-849, §3, Oct. 23, 1962, 76 Stat. 1126. See section 207 of Title 18.

CODIFICATION

In subsec. (c), "section 5703 of title 5" substituted for "section 73b-2 of title 5" on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

TRANSFER OF FUNCTIONS

See note set out under section 661 of this title.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established

by the Congress, its duration is otherwise provided by law. Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 664. Director of Coal Research; appointment

The Secretary may appoint a Director of Coal Research without regard to the provisions of the civil service laws, or chapter 51 and subchapter III of chapter 53 of title 5.

(Pub. L. 86-599, §4 (part), July 7, 1960, 74 Stat. 336.)

REFERENCES IN TEXT

The civil service laws, referred to in text, are set forth in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of Title 5.

CODIFICATION

"Chapter 51 and subchapter III of chapter 53 of title 5" substituted in text for "the Classification Act of 1949, as amended" on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

TRANSFER OF FUNCTIONS

See note set out under section 661 of this title.

COMPENSATION OF DIRECTOR

The annual rate of basic compensation of the Director was established at \$17,500 by section 107(a)(23) of act July 31, 1956, ch. 804, title I, as added by Pub. L. 86-599, §4, July 7, 1960, 74 Stat. 336. Section 301 of Pub. L. 87-367, title III, Oct. 4, 1961, 75 Stat. 792, repealed section 107(a)(23) of act July 31, 1956, and section 304 of Pub. L. 87-367 directed that the position of Director shall be placed in the appropriate grade of the General Schedule of the Classification Act of 1949, as amended (see chapter 51 of Title 5, Government Organization and Employees).

§ 665. Sites for conducting research; availability of personnel and facilities

Research authorized by this chapter may be conducted wherever suitable personnel and facilities are available.

(Pub. L. 86-599, §5, July 7, 1960, 74 Stat. 337.)

§ 666. Public-availability requirement; national defense; patent agreements

No research shall be carried out, contracted for, sponsored, cosponsored, or authorized under authority of this chapter, unless all information, uses, products, processes, patents, and other developments resulting from such research will (with such exceptions and limitations, if any, as the Secretary may find to be necessary in the interest of national defense) be available to the general public. Whenever in the estimation of the Secretary the purposes of this chapter would be furthered through the use of patented processes or equipment, the Secretary is authorized to enter into such agreements as he deems necessary for the acquisition or use of

such patents on reasonable terms and conditions.

(Pub. L. 86-599, §6, July 7, 1960, 74 Stat. 337.)

§ 667. Reports to President and Congress

The Secretary shall submit to the President and the Congress, on or before February 15 of each year, beginning with the year 1961, a comprehensive report concerning activities under the authority of this chapter, including information on all research projects conducted, sponsored, or cosponsored under the authority of this chapter during the preceding year.

(Pub. L. 86-599, §7, July 7, 1960, 74 Stat. 337.)

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in this section relating to requirement to submit annual report to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 88 of House Document No. 103-7.

§ 668. Authorization of appropriations

(a) Fiscal year beginning July 1, 1960

There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until expended, not to exceed \$2,000,000 to be used to carry out the purposes of this chapter for the fiscal year beginning July 1, 1960.

(b) Fiscal years beginning after June 30, 1961

There are hereby authorized to be appropriated for each fiscal year beginning after June 30, 1961, such sums as may be necessary to carry out the purposes of this chapter.

(c) Availability of sums

Sums appropriated to carry out the purposes of this chapter shall remain available until expended.

(Pub. L. 86-599, §8, July 7, 1960, 74 Stat. 337.)

CHAPTER 19—LEAD AND ZINC STABILIZATION PROGRAM

§§ 681 to 689. Omitted

CODIFICATION

Section 681, Pub. L. 87-347, §1, Oct. 3, 1961, 75 Stat. 766, stated purpose of this chapter as establishment and maintenance of a program of stabilization payments (which terminated December 31, 1969) to small domestic producers of lead and zinc ores and concentrates in order to stabilize the mining of lead and zinc by such producers. See note for section 687 below.

Section 682, Pub. L. 87-347, §2, Oct. 3, 1961, 75 Stat. 766; Pub. L. 89-238, §1(1), Oct. 5, 1965, 79 Stat. 925, provided for stabilization payments (which terminated December 31, 1969) and conditions and limitations of payments. See note for section 687 below.

Section 683, Pub. L. 87-347, §3, Oct. 3, 1961, 75 Stat. 767; Pub. L. 89-238, §1(2), Oct. 5, 1965, 79 Stat. 925, provided for additional limitations on payments which terminated on December 31, 1969. See note for section 687 below.

Section 684, Pub. L. 87-347, §4, Oct. 3, 1961, 75 Stat. 767, authorized Secretary to promulgate such regulations and require such reports as deemed necessary to carry out program of stabilization payments (which terminated December 31, 1969) under this chapter. See note for section 687 below.

Section 685, Pub. L. 87-347, §5, Oct. 3, 1961, 75 Stat. 768, authorized Secretary to delegate functions relating to stabilization payments (which terminated December 31, 1969) under this chapter to Administrator of General Services. See note for section 687 below.

Section 686, Pub. L. 87-347, §6, Oct. 3, 1961, 75 Stat. 768; Pub. L. 88-75, July 25, 1963, 77 Stat. 92; Pub. L. 89-238, §1(3), Oct. 5, 1965, 79 Stat. 925, defined terms as used in this chapter relating to stabilization payments which terminated December 31, 1969. See note for section 687 below.

Section 687, Pub. L. 87-347, §7, Oct. 3, 1961, 75 Stat. 768; Pub. L. 89-238, §1(4), Oct. 5, 1965, 79 Stat. 925, provided that no payment be made under this chapter after Dec. 31, 1969, but permitted authorized payment only if application therefor was filed not later than Mar. 31, 1970.

Section 688, Pub. L. 87-347, §8, Oct. 3, 1961, 75 Stat. 768, required annual reports to Congress on operations relating to stabilization payments (which terminated December 31, 1969) under this chapter not later than first day of March each year. See note for section 687 above.

Section 689, Pub. L. 87-347, §9, Oct. 3, 1961, 75 Stat. 768; Pub. L. 89-238, §1(5), Oct. 5, 1965, 79 Stat. 925, related to penalties for procuring a stabilization payment (which terminated December 31, 1969) not entitled to under this chapter and civil and criminal liability for keeping a payment not entitled to under this chapter. See note for section 687 above.

CHAPTER 20—CONVEYANCES TO OCCUPANTS OF UNPATENTED MINING CLAIMS

Sec.

- 701. Authorization to convey; acreage limitations; qualified applicants; payment; "qualified officer of the United States" defined.
- 702. "Qualified applicant" defined.
- 703. Withdrawal of lands in aid of a governmental unit.
- 704. Purchase of substitute lands; limitations; conditions; payment; conveyance of less than a fee.
- 705. Purchase price of conveyed interest; installment payments.
- 706. Liabilities of occupants; trespass; limitations.
- 707. Reservation of mineral rights.
- 708. Assignments; succession.
- 709. Disposition of payments and fees.

§ 701. Authorization to convey; acreage limitations; qualified applicants; payment; "qualified officer of the United States" defined

The Secretary of the Interior may convey to any occupant of an unpatented mining claim which is determined by the Secretary to be invalid an interest, up to and including a fee simple, in and to an area within the claim of not more than (a) five acres or (b) the acreage actually occupied by him, whichever is less. The Secretary may make a like conveyance to any occupant of an unpatented mining claim who, after notice from a qualified officer of the United States that the claim is believed to be invalid, relinquishes to the United States all rights in and to such claim which he may have under the mining laws. Any conveyance authorized by this section, however, shall be made only to a qualified applicant, as that term is defined in section 702 of this title, who applies therefor within the period ending June 30, 1971, and upon payment of an amount established in accordance with section 705 of this title.

As used in this section, the term "qualified officer of the United States" means the Secretary